

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**VIVIAN BERT, et al.,**

**Plaintiffs,**

**v.**

**AK STEEL CORPORATION,**

**Defendant.**

**CASE NO. C-1-02-467**

## Judge Beckwith

**Magistrate Judge Hogan**

## DECLARATION

Herman N. Johnson, Jr. hereby declares as follows under penalty of perjury pursuant to 28 U.S.C. § 1746::

1. I am over 18 years of age and competent to make this declaration. I am counsel of record for the plaintiffs in the above-captioned case.

2. In 2002, plaintiffs' counsel received the notices of rights-to-sue from the Equal Employment Opportunity Commission for the charges of plaintiffs Darrell Carter, Darlene Carter, Marnie Carter, Kay Jackson, and Timothy Oliphant. Plaintiffs' counsel stored those notices in the files maintained for this case.

3. Plaintiffs' counsel has filed copies of those EEOC rights-to-sue notices as exhibits in support of plaintiffs' response and opposition to the defendant's Motion for Summary Judgment On the Claims of the Ashland Plaintiffs and Ashland Class.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Herman N. Johnson, Jr.

Date 27 March 2008